

REMARKS

Upon entry of the present amendment, claims 32-38 and 50-56, previously withdrawn from consideration as directed to a non-elected invention, will have been canceled without prejudice or disclaimer of the subject matter. Additionally, claims 27 and 39 will have been amended to clarify an aspect of Applicant's invention. Additionally, claims 63-69 will have been submitted for consideration by the Examiner.

In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections together with an indication of the allowability of all the claims pending in the present application, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

Applicant's invention is directed to a communication apparatus and method. In particular and as defined by the recitations of claim 20, Applicant's invention is directed to a communication apparatus which is connected to a terminal apparatus via a network, such as, for example, the Internet. The communication apparatus of the present invention includes a control panel configured to at least enter a destination address, and a memory that stores an address book including a plurality of destination addresses. The address book is stored as an HTML file. A transmitter transmits the image data to a designated destination address that is stored in the address book and the image data is transmitted via at least one of the

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network or a telephone network in response to an input from the control panel. A communicator transmits the address book to the terminal apparatus when a request for the address book is received from the terminal apparatus. In response to a request for the address book, the address book is displayable at the terminal apparatus. Further, a controller is provided and, in response to an instruction from the terminal apparatus, transmits at least one input screen associated with the address book to the terminal apparatus. The input screen has an input field enabling modification of a destination address that is contained in the address book. The screen is configured so that the address book can be modified from the terminal apparatus. According to a feature of the present invention, the communication apparatus including the control panel, memory, transmitter, communicator, and controller, are included with a self-contained unit.

It is respectfully submitted that the combination of features recited in Applicant's claim 20 is not taught, disclosed nor rendered obvious by the references cited by the Examiner. Additionally, the recitations of Applicant's method claim 39 are also not taught, disclosed nor rendered obvious by any of the references cited in the present application.

In the outstanding Official Action, the Examiner rejected claims 20-25, 27-31, 39-44, 46-49 and 57-63 under 35 U.S.C. § 102(e) as being anticipated by HUANG et al. (U.S. Patent Application Publication US-2003/0097361). Claims 26 and 45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over HUANG et al. in view of RACHELSON (U.S.

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Patent No. 6,157,706). Applicant respectfully traverses each of the above rejections and submits that they are inappropriate.

Initially, Applicant again reiterates the Request for a copy of the cited reference and restarting of the time period as set forth in the paper filed on June 7, 2004 at least for the reasons set forth in the above-noted paper. Applicant notes that the present application is entitled to an effective filing date of December 28, 1998 by virtue of the filing of Japanese Application JP 10-372959. Thus, the HUANG et al. application is available as a reference against the claims of the present application based only on the filing date of the provisional application. However, there is no requirement that the disclosure of a provisional application be commensurate with the disclosure of a continuation-in-part of the non-provisional application based thereupon. Accordingly, in order to properly assess the disclosure of the HUANG et al. patent application publication, Applicant submits that fairness requires that a copy of the provisional application be forwarded to Applicant by the U.S. Patent and Trademark Office.

Nevertheless, and notwithstanding any additional shortcomings of the disclosure of the provisional application upon which HUANG et al. is based, Applicant respectfully traverses the above rejections and submits that they are inappropriate. In particular, Applicant notes that HUANG et al. is directed to a message center based desktop organizational and management system that includes a set of applications centered around

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and integrated with a message center. As set forth in the rejection, the Examiner has considered the site server 1030 as the communication apparatus and the computer systems 1010A-1010N as the terminal apparatus with reference to Fig. 10. However, Applicant notes that the site server 1030 of Fig. 10 of HUANG et al. cannot itself perform the features recited in Applicant's claims. In particular, at least the e-mail server 1072 is required. Further, applications such as the address book would appear to be stored in and accessed from the application server 1090.

In direct contrast, Applicant's invention is directed to an apparatus that performs these functions without the necessity for being interconnected to a number of servers as shown in Fig. 10 of HUANG et al. Accordingly, Applicant's claims are submitted to be patentable over HUANG et al.

Applicant wishes to additionally make of record a telephone interview conducted between Applicant's undersigned representative and Examiner Pokrzywa who is in charge of the present application on August 5, 2004. During the above-noted telephone interview, the above-noted differences between Applicant's invention and the disclosure of HUANG et al. were discussed. It was agreed that the distributed computational and organization system of HUANG et al. is distinctly different from the integrated system recited in Applicant's claims.

During the above-noted interview, the Examiner however pointed out that in the last sentence of paragraph [0101] the site server 1030 and the controller server 1040 are disclosed to be integratable into one server. While this is correct, Applicant notes that in the next succeeding paragraph, the regional networks 1050 are described. These networks which include the e-mail server, the application server and the various other servers necessary to provide the features of HUANG et al., are clearly not integratable with the site server and control service since they are regional networks which support a particular geographic region.

Moreover, in paragraph [0104] HUANG et al. discloses that the functions performed by backend server 1060, viewer converter 1070, e-mail server 1072, database server 1076, file server 1080 and application server 1090 or a combination of these servers can be integrated and provided by one or more servers. However, it is abundantly clear that HUANG et al. does not contemplate combining the functions or structure of the various servers making up the regional network with the site server 1030.

Accordingly, during the above-noted interview, the Examiner tentatively agreed that the distinction outlined above would define over the HUANG et al. reference.

During the above-noted interview, Applicant further discussed additional features of Applicant's invention directed to the address book and a mechanism for changing the data of the address book. In this regard, Applicant discussed the features of Applicant's invention

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as embodied in Figs. 18-21. Based on this discussion, Applicant has submitted additional claims 64 and 65 for consideration. During the discussion of the subject matter of such new claims, the Examiner also agreed that this feature appeared to be another distinction between Applicant's invention and the HUANG et al. reference.

In view of these distinctions, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and an indication of the allowability of all the claims in the present application.

By the present Response, Applicant has submitted several additional claims for consideration and submits that these claims provide yet additional basis for patentability based on their recitations as well as based on their dependence from a shown to be allowable independent claim.

The Examiner is respectfully thanked for his cooperation and constructive suggestions during the above-noted interview as well as for making the time and scheduling such interview. Such cooperation is noted with appreciation.

By the present Response, Applicant has amended the claims in order to even more clearly define over the references of record herein. Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and an indication of the allowability of all the claims pending in the present application, in due course.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has canceled withdrawn from consideration claims and has amended each of the independent claims to even more clearly define a feature of the present invention. Additionally, Applicant has submitted several additional dependent claims for consideration by the Examiner.

Applicant has made of record a telephone interview conducted with the Examiner during which the Examiner tentatively agreed that various discussed features would define over the HUANG et al. reference.

By the present Response, Applicant has amended the independent claims in accordance with a noted distinguishing feature discussed during the above-noted interview. Applicant has further incorporated other discussed distinguishing features in dependent claims.

Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

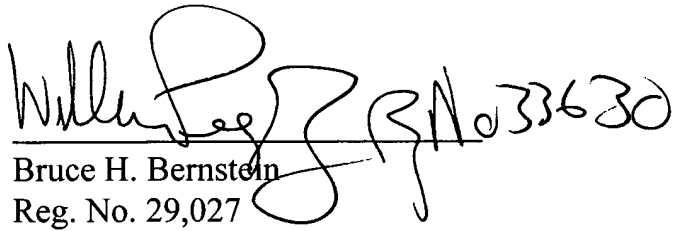
Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be

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considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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August 5, 2004
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